

11:36:33

1 Q. Was there anyone else besides Ms. Williams that  
2 you claim treated you differently than white females?

11:36:38

11:36:43

3 A. Each year after I was placed in that classroom,  
4 she used one of her assistant principals to write me  
5 down, to whatever she felt like that would demean me.

11:36:46

11:36:50

11:36:58

6 Q. Okay. So who besides Ms. Williams and  
7 Ms. Ruffin are you complaining about?

11:37:02

11:37:04

8 A. She used Ms. Haggard the previous year. And I  
9 don't even know who was there the year before that.

11:37:10

11:37:13

10 But each year a cycle went on.

11:37:18

11:37:21

11 Q. Okay. Ms. Haggard, Ms. Williams, Ms. Ruffin.  
12 Who else?

11:37:26

11:37:29

13 A. I'll have to go back and look at information.  
14 I don't recall.

11:37:29

15 Q. But there might be other people?

11:37:30

16 A. There might be.

11:37:31

11:37:35

17 Q. Okay. And so you feel that these people were  
18 discriminating or retaliating against you?

11:37:37

19 A. Exactly.

11:37:38

20 Q. Because?

11:37:44

21 A. One of the main reasons, like I said, is  
22 because they were being directed by Ms. Ruffin.

11:37:46

11:37:49

23 Q. And she's an African-American female?

24 A. Yes.

11:37:51

25 Q. So why she was she directing them to treat you

11:37:54

1 different?

11:37:55

2 A. You'll have to ask her that.

11:37:56

3 Q. Why do you think it is?

11:38:01

4 A. It started with the ACE-CMC program, like I  
5 said earlier. It started right there.

11:38:05

11:38:12

6 Q. Okay. And the ACE-CMC program doesn't have  
7 anything to do with race discrimination, does it?

11:38:15

11:38:20

8 A. What do you mean doesn't have anything to do --

11:38:23

9 Q. Well, you've made claims here of race  
10 discrimination, sex discrimination, retaliation, and  
11 others under the TCHR Act.

11:38:28

11:38:31

12 A. Like I said earlier, she removed me from that  
13 classroom. She did not remove the other two people,  
14 that teacher and that teacher assistant.

11:38:34

11:38:36

11:38:39

15 Q. Okay. And did she do that because you're a  
16 black female? Is that your contention? I mean, is  
17 that what you mean?

11:38:47

18 A. I don't know --

11:38:48

19 Q. Do you think she did that because you're a  
20 black female?

11:38:51

11:38:54

21 A. I think it has something to do with it.

11:38:57

22 Q. And she's a black female; right?

11:38:59

23 A. Exactly.

11:39:00

24 Q. Okay. And she's obviously female, I just said  
25 that, and you're female?

11:39:03

11:39:05

1 A. Yes.

11:39:06

2 Q. So what other reasons would she be doing that?

11:39:12

3 A. I think you would have to ask Ms. Ruffin that.

11:39:14

4 Q. But your belief is that it was just all

11:39:18

5 discrimination retaliation?

6 A. Yes.

11:39:19

7 Q. Okay. So here you talk about you were not

11:39:23

8 given ample time to prepare a defense to react to a

11:39:28

9 notice of nonrenewal; correct?

10 A. Yes.

11:39:31

11 Q. If there -- if the district can show evidence

11:39:34

12 that it did give you ample time to prepare a defense,

11:39:37

13 would you have any evidence to dispute that?

14 A. Yes.

11:39:45

15 Q. You would. All right. Such as?

11:39:54

16 A. I have a timeline written down somewhere where

11:39:57

17 each of those occurred -- incidents occurred.

11:40:08

18 Q. All right. Well, let's look at what I'm going

11:40:10

19 to mark as Plaintiff's Deposition Exhibit Number 6.

11:40:41

20 Have you had a chance to review it?

21 A. Yes.

11:40:44

22 Q. Are you familiar with it?

23 A. Yes.

11:40:48

24 Q. Have you seen it before?

25 A. Yes.



11:40:51

1 Q. Is that your signature at the bottom?

11:40:55

2 A. Yes, it is.

11:40:57

3 Q. Okay. Is it fair to say that this is a

11:40:59

4 document evidencing the first time that you received

11:41:02

5 notice of the district's intent to recommend to the

11:41:04

6 board that your term employment contract be -- with the

11:41:07

7 district be proposed for nonrenewal?

8 A. Yes.

11:41:11

9 Q. And that would be at the end of 2004-2005

11:41:15

10 school year; is that correct?

11 A. Yes.

11:41:17

12 Q. And so if you say that discrimination or issues

11:41:25

13 involving your employment occurred as early as 2001,

11:41:29

14 would you agree that this is three or four years after

11:41:35

15 you allege some things occurred?

16 A. Yes.

11:41:39

17 Q. All right. And there's no evidence in this

11:41:45

18 particular letter showing that this notice to you had

11:41:50

19 anything to do with race or age or sex or

11:41:54

20 discrimination or retaliation; is that true?

11:41:57

21 A. That there's nothing in this letter? That's

11:42:00

22 true.

11:42:01

23 Q. All right. Did you respond to this letter?

11:42:07

24 A. I talked to an attorney not long afterwards,

11:42:10

25 but I -- if you -- do you mean did I write something to

11:42:14

1 the board or something?

11:42:15

2 Q. Sure.

11:42:16

3 A. No, I didn't.

4 Q. Did you --

11:42:18

5 A. I don't recall doing that.

11:42:21

6 Q. Did you respond to the superintendent once you

11:42:25

7 received this?

11:42:25

8 A. In writing?

11:42:26

9 Q. In any way.

11:42:27

10 A. No, I didn't.

11:42:28

11 Q. So you didn't talk to her?

12 A. No.

11:42:30

13 Q. You didn't write to her?

14 A. No.

11:42:33

15 Q. You didn't react in any way to tell her, "Hey,

11:42:38

16 I don't agree with this"?

17 A. No.

11:42:40

18 Q. Okay. Did you take her up on her offer to

11:42:48

19 discuss your options?

11:42:49

20 A. Take her up on her offer?

11:42:50

21 Q. Right. Do you see there where it says, "If you

11:42:52

22 wish to discuss your options with me, please contact my

11:42:55

23 office"?

11:42:55

24 A. No, I didn't.

11:42:56

25 Q. And you didn't do that?

11:42:57

1 A. No.

11:42:57

2 Q. Okay. So you didn't complain at that time  
3 about this notice?

11:43:01

11:43:02

4 A. I was not going to make a complaint without an  
5 attorney.

11:43:05

11:43:08

6 Q. Okay. So you didn't talk to her about any of  
7 it?

11:43:10

11:43:10

8 A. I didn't talk to her at all.

11:43:12

9 Q. Did you directly go to an attorney?

11:43:14

10 A. Yes. I started looking for an attorney.

11:43:16

11 Q. Okay. And let me introduce what's been marked  
12 as Plaintiff's Deposition Exhibit Number 7. Give you  
13 an opportunity to look at that. Did I give you a  
14 chance to look at the document?

11:44:26

15 A. Yes.

11:44:28

16 Q. Are you familiar with it?

11:44:30

17 A. Yes, I am.

11:44:31

18 Q. Have you seen it before?

19 A. Yes.

11:44:33

20 Q. Are you -- do you recognize it as being a  
21 Judson policy entitled "DFBB Legal," which relates to  
22 term -- the nonrenewal of term contracts?

11:44:43

23 A. Yes.

11:44:46

24 Q. Okay. Does it provide guidelines by which the  
25 district must provide notice to a term contract

11:44:51

11:44:54

1 employee whose contract is about to expire?

2 A. Yes.

11:44:58

3 Q. Okay. And, basically, does it say that not

11:45:03

4 later than the 45th day before the last day of

11:45:06

5 instruction in a school year, the board shall notify in

11:45:09

6 writing each term contract employee whose contract is

11:45:12

7 about to expire of its proposal to renew or not renew

11:45:15

8 the contract?

9 A. Yes.

11:45:16

10 Q. Okay. Does it provide guidelines by which an

11:45:21

11 employee desiring a hearing after receiving notice of

11:45:23

12 the proposed nonrenewal can follow?

13 A. Yes.

11:45:29

14 Q. And what does it say?

11:45:32

15 A. The entire paragraph?

11:45:34

16 Q. Sure.

11:45:34

17 A. "If the employee desires a hearing after

11:45:37

18 receiving notice of the proposed nonrenewal, the

11:45:41

19 employee shall notify the board in writing not later

11:45:44

20 than 15th day after receiving the notice of proposed

11:45:49

21 action. The board shall provide for a hearing to be

11:45:52

22 held within 15 days after receiving written notice from

11:45:55

23 the employee requesting a hearing unless the parties

11:45:57

24 agree in writing to a different date. Such hearing

11:46:02

25 shall be closed unless an open hearing is requested by



11:46:04

1 the employee and shall be conducted in accordance with  
2 rules promulgated by the district."

11:46:08

11:46:12

3 Q. Does anything in here require the district to  
4 provide more than 15 days?

11:46:14

5 A. No.

11:46:23

6 Q. Instead it -- basically, it says that the

11:46:25

7 district shall provide a hearing within 15 days that --

11:46:29

8 that the employee receives notice request -- or that it

11:46:33

9 receives notice requesting a hearing?

11:46:35

10 A. But it also says if the employee desires a

11:46:38

11 hearing.

11:46:39

12 Q. Sometimes the employee doesn't; right?

11:46:41

13 A. That's right.

11:46:42

14 Q. Okay. But if the employee does, they shall

11:46:45

15 provide a hearing within 15 days?

11:46:48

16 A. But I did not desire a hearing.

11:46:50

17 Q. Well, we'll get to that.

11:46:52

18 A. Okay.

11:46:52

19 Q. We'll get to that. Then let me -- I guess let

11:47:08

20 me ask you about it. You didn't want a hearing?

11:47:11

21 A. No, I didn't.

11:47:12

22 Q. Okay. So when you say in here that you were

11:47:16

23 not given ample time to prepare a defense with an

11:47:19

24 attorney to react to a notice of nonrenewal, what are

11:47:21

25 you talking about if you're not talking about preparing